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Wrangell City Ordinances

Please feel free to peruse our city Charter and Ordinances. We've listed them by Article headings, and Title and Chapter headings to make your search easier.

Wrangell City Charter

Article I	<u>Incorporation, Form of Government, Powers, Interpretation</u>
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Article I: Incorporation, Form of Government, Powers, Interpretation

CHARTER OF THE CITY OF WRANGELL, ALASKA

PREAMBLE

We, the people of the City of Wrangell, exercising the powers of home rule granted to us by the constitution and laws of the State of Alaska, in order to provide for more efficient, adequate and economical government, do hereby ordain, ratify and establish this Charter of the City of Wrangell, Alaska.

ARTICLE I.

INCORPORATION, FORM OF GOVERNMENT, POWERS, INTERPRETATION

Incorporation Section 1-1. The City of Wrangell, Alaska, shall continue to be a municipal body politic and corporate in perpetuity under the name of the "City of Wrangell, Alaska." It shall succeed to and possess all the property, rights, privileges, franchises, and powers and immunities now belonging to the corporation known as the City of Wrangell, Alaska; and shall be liable for all debts and other obligations for which the corporation is legally bound at the time this charter goes into effect.

Boundaries Section 1-2. The boundaries of the city as they exist at the time this charter goes into effect, shall remain the boundaries of the city until they are changed in a manner authorized or permitted by the state constitution and/or law. The boundaries of the City of Wrangell as existing at the time this charter goes into effect are described as follows: An area encompassing all those islands bounded on the west by Zimovia Strait, on the north and east by Eastern Passage and on the south by the section line extending from the center line of Eastern Passage west along the southern boundary of section 24 of T63S, R84E, Copper River Meridian, thence south along the eastern section line boundary of sections 26 and 35 of T63S, R84E and continuing along the eastern section line boundary of sections 2 and 11 of T64S, R84E, thence west along the southern boundary line of sections 11, 10, 9, 8 and 7 of T64S, R84E to the center line of Zimovia Strait. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 4 at Special Election on July 29, 1975, as authorized by Reso. 6-75-14).

Form of Government Section 1-3. The municipal government provided by this charter shall be known as the “council-manager government.” (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by Ord. 242, passed Aug. 28, 1969).

Powers of the City Section 1-4. The City of Wrangell, Alaska, shall have all the powers, functions, rights, privileges, franchises and immunities of every name and nature whatever, which a home-rule city may have under the constitution and laws of the State of Alaska. The city may exercise all powers not prohibited by law or by this charter. The enumeration or mention of particular powers by this charter shall not be deemed to be exclusive or limiting. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 5 at General Election on Oct. 3, 1972, as authorized by Reso. 8-72-2; amended by passage of Charter Amendment at General Election of Oct. 7, 1969, as authorized by Ord. 241).

Interpretation—Definitions Section 1-5. (a) When used in this charter, the singular number includes the plural, and the plural the singular, and the masculine gender includes the feminine and neuter, unless the context clearly indicates otherwise. (b) When the word “city” is used in this charter, it shall mean the City of Wrangell, Alaska, unless the context clearly indicates another meaning. (c) When the word “person” is used in this charter, it shall mean an association, firm and corporation as well as an individual, unless the context clearly indicates otherwise. (d) When the word “publish,” “published” or “publication” is used in this charter, it shall mean publish, published or publication in a newspaper of general circulation within the city at least one time; provided that the council by resolution may find and declare that the publication of any particular ordinance, notice or document in such a newspaper is very impracticable or impossible under the circumstances then existing, and provide instead that the ordinance, notice or document shall be published by posting a copy in each of at least five conspicuous public places in the city. In all such cases of publication by posting, the city clerk shall provide any person a copy of the ordinance, notice or document posted, on request, without charge, at any time within two months after the posting. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)





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Article II: The Council

ARTICLE II. THE COUNCIL

City Council: Governing Body, Number, Qualifications Section 2-1.

(a) The governing body of the city shall be the council. (b) The council shall be composed of seven members, which shall consist of the mayor, and six other council members. Hereinafter, the term "council member" includes the mayor unless specifically noted. (c) Only qualified voters of the city who have resided within the city at least one year immediately preceding his or her election, are eligible to serve on the city council. If any council member ceases to be a resident of this city, he or she shall thereupon forfeit office. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 1 at General Election on Oct. 2, 1973, as authorized by Reso. 8-73-1; amended by Ord. 242, passed Aug. 28, 1969; amended by passage of Proposition No. 2 at General Election on October 7, 1986, as authorized by Reso. 7-86-247).

Mayor and Vice Mayor Section 2-2. (a) The mayor shall preside at meetings of the council, and shall certify the passage of all ordinances and resolutions passed by it. The mayor shall be recognized as the head of the city government for all ceremonial purposes and by the governor for purposes of military law. The mayor shall have all powers, rights, privileges, duties and responsibilities of council members, including the power to vote however the mayor may not initiate motions. The mayor shall have no regular administrative duties except signing such written obligations of the city as the council may require. (b) At the first meeting following certification of the regular election, or as soon thereafter as practicable, the council shall elect one of its members vice mayor, who shall serve as such until the next such first meeting. The vice mayor shall act as mayor during the absence or disability of the mayor, or, if a vacancy occurs in the office of mayor, until another mayor is elected by the council and qualifies. If the office of vice mayor becomes vacant, the council shall elect from its members another vice mayor for completion of the unexpired term. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 1 at General Election October 6, 1981, as authorized by Reso. 8-81-136; amended by passage of Proposition No. 1 at Special Election on June 16, 1979, as authorized by Reso. 4-70-1; amended by Ord. 242, passed Aug. 28, 1969). City Council: Compensation, Holding other office Section 2-3. No council member may receive any

compensation for serving on the council, but may be reimbursed for expenses incurred in the discharge of his or her official duties. Unless otherwise provided by ordinance, a council member may hold no other compensated city office or employment. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Terms of Council Members Section 2-4. The term of the office of mayor shall be two years and until a successor qualifies. The term of other council members shall be three years and until a successor qualifies. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Council not to Interfere in Hiring and Removals Section 2-5. No council member may direct or request the appointment of any person to, or removal from, office or employment by the city manager or, except as provided in this charter, participate in any manner in the appointment or removal of officers and employees of the city. Except for the purpose of inquiry, the council, and its members shall deal with employees hired by the city manager solely through the city manager; and the council and its members may not give orders on administrative matters to those employees either publicly or privately, except as otherwise provided in this charter or by ordinance. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by Ord. 242, passed Aug. 28, 1969).

City Clerk Section 2-6. There shall be a city clerk, who shall be an officer of the city. The clerk shall be appointed by, and serve at the pleasure of, the city council. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 8 at General Election on Oct. 3, 1972, as authorized by Reso. 8-72-2).

Council: Meetings Section 2-7. (a) The council shall hold at least one regular meeting every month at such time or times as it may prescribe by ordinance, resolution or rules of the council. All meetings of the council shall be open to the public, and the public shall have a reasonable opportunity to be heard. The journal of its proceedings shall be open to public inspection. (b) Special meetings of the council shall be held at the regular meeting place of the council, unless otherwise provided by the council. Special meetings shall be called by the city clerk on the written request of the mayor, the city manager, or of any two members of the council. (c) The council may recess for the purpose of discussing, in a closed or executive session, any question permitted by law which is expressed in the motion calling for the executive session. The public may be excluded from the session, but the final action shall not be taken by the Council on any matter discussed until brought back into regular session. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of

Proposition No. 2 at Special Election on June 16, 1970, as authorized by Reso. 4-70-1; amended by Passage of Proposition No. 4 at General Election on October 7, 1986, as authorized by Reso. 07-86-248).

Council: Quorum, Actions, Rules Section 2-8. (a) Four council members shall constitute a quorum for the transaction of business. (b) Actions of the council are adopted by a majority of the membership present when the vote is taken. (c) The council may determine its own rules. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 3 at Special Election on June 16, 1970, as authorized by Reso. 4-70-1).

Ordinances: Enacting Clause Section 2-9. The enacting clause of all ordinances passed by the council shall be, "Be it ordained by the Council of the City of Wrangell, Alaska," and of all ordinances proposed by the voters under their power of initiative, "Be it ordained by the People of the City of Wrangell, Alaska."

Ordinances: Passages, When in Effect Section 2-10. (a) A proposed ordinance shall be read, and voted upon. The vote on final passage of every ordinance shall be yeas and nays, and shall be entered in the journal. The mayor shall have no power of veto. Within ten days after its passage, every ordinance shall be published in full or by number and title. (b) All ordinances shall go into effect upon adoption, unless a later time is specified. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 3 at Special Election on July 29, 1975, as authorized by Reso. 6-75-14; amended by passage of Proposition No. 4 at Special Election on June 16, 1970, as authorized by Reso. 4-70-1).

Ordinances: Emergency Section 2-11. An emergency ordinance is an ordinance which in the judgment of the council is necessary for the immediate preservation of the public peace, health or safety, and which may be introduced and adopted at the same meeting. Every such ordinance shall contain, as a part of its title, the words, "and declaring an emergency"; and in a separate section, herein called the emergency section, shall declare the emergency. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Ordinances: Adoption by Reference Section 2-12. The council by ordinance may adopt by reference codes, ordinances, standards and regulations relating to building, plumbing, electrical installations, and other matters which it has power to regulate otherwise. Such code, ordinance, standard or regulation so adopted need not be enrolled in the book of ordinances; but a copy shall be filed and kept in the office of the city clerk. The city clerk shall keep copies of all such codes, ordinances, standards and regulations in force for distribution or sale at their

approximate cost. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Ordinances and Resolutions: Codification Section 2-13. (a) The ordinances of the city shall be codified by perpetually keeping the ordinance provisions of permanent nature updated by use of a loose-leaf system. Titles, enacting clauses and emergency sections may be omitted from the code. Temporary and special sections and parts of ordinances may be omitted from the code. Permanent general ordinances and parts of ordinances which are to be repealed from the code shall be omitted therefrom. A copy of the code shall be filed and kept in the office of the city clerk. (b) Resolutions adopted by the council shall be given a permanent identifying number, and bearing a notation of the date of adoption and adopting authority, be entered by the clerk in a properly indexed book of resolutions. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 10 at General Election on Oct. 3, 1972, as authorized by Reso. 8-72-2).

Ordinances: Violation Section 2-14. (a) A person, partnership, corporation, or association or agent thereof who violates a provision of an ordinance shall be guilty of a misdemeanor and upon conviction, punishable as prescribed by ordinance which shall not exceed a fine of (one thousand dollars) \$1000.00, imprisonment for ninety days, or both. (b) The city may institute a civil action against any person who violates a city ordinance. In addition to injunctive and compensatory relief, a civil penalty not to exceed (one thousand dollars) \$1000.00 may be imposed for each violation. Each day, or part thereof, that a violation of a city ordinance continues shall constitute a separate violation. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Added by passage of Proposition No. 11 at General Election on Oct. 3, 1972, as authorized by Reso. 8-72-2).



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Article III: City Manager and Administrative Departments

ARTICLE III.

CITY MANAGER AND ADMINISTRATIVE DEPARTMENTS

City Manager: Appointment and Removal, Qualifications, Powers and Duties. Section 3-1. (a) There shall be a city manager, appointed by the council, who serves at the pleasure of the council. The council may suspend or remove the city manager at any time. (b) The council shall choose the manager on the basis of executive and administrative qualifications. At the time of appointment, the manager need not be a resident of the city or state, but, during his or her tenure of office, shall reside within the city. (c) No council member may be appointed city manager or acting city manager sooner than one year after leaving office, except by a vote of three-fourths of the authorized membership of the council. (d) The city manager shall be chief administrative officer and head of the administrative branch of the city government. The manager shall have such powers and perform such duties as specified by the council. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by Ord. 242, passed Aug. 28, 1969)

Acting City Manager Section 3-2. (a) If the city manager is absent from the city, is unable to perform his or her duties, has been suspended by the council, or there is a vacancy in the office of the city manager, the council may appoint an acting city manager to serve until the city manager returns, until his or her disability or suspension ceases, or until another city manager is appointed and qualifies, as the case may be. The council may suspend or remove an acting city manager at any time. (b) If the city manager is absent from the city or unable to perform his or her duties, the city manager may appoint a director of a city department to serve as acting city manager until the city manager returns or his or her disability ceases. This appointment may be superceded at any time by the council. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by Ord. 242, passed Aug. 28, 1969)

Administrative Departments, Offices and Agencies; Boards and Commissions Section 3-3. (a) There shall be such administrative departments, offices and agencies as this charter establishes and as the council may establish. (b) The council by ordinance may provide for advisory, regulatory, administrative, appellate, and

quasi-judicial boards and commissions. Unless provided otherwise by ordinance or this charter, the council shall appoint and remove all members of city boards and commissions. (Amended by passage of Proposition

No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by Ord. 242, passed Aug. 28, 1969).

Department of Finance: Director Section 3-4. There shall be a director of finance, who shall be head of the department of finance, treasurer and an officer of the city. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by Ord. 242, passed Aug. 28, 1969).

Same: City Tax Assessor: Duties Section 3-5. There shall be a city assessor, who is appointed by and serves at the pleasure of the city council, and under the direction of the city manager. The city assessor shall assess property for taxation in accordance with this charter, the ordinances of the city, and the provisions of Alaska Statutes, Title 29, applicable to home rule municipalities. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by Ord. 242, passed Aug. 28, 1969).

Department of Public Works: Director Section 3-6. There shall be a director of public works. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by Ord. 242, passed Aug. 28, 1969).

Department of Electric: Director Section 3-7. There shall be a director of electric. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Public Library Section 3-8. The city may have a public library or libraries. The council shall determine by ordinance the establishment and operation of the city library system. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by Ord. 242, passed Aug. 28, 1969).

Wrangell Medical Center Section 3-9. The city-operated Wrangell Medical Center shall be operated by a board established by ordinance and appointed by the council. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 5 at Special Election on June 16, 1970, as authorized by Reso. 4-70-1; amended by Ord. 242, passed Aug. 28, 1969).

Nolan Museum and Civic Center Section 3-10. The city-operated

James and Elsie Nolan Museum and Civic Center shall be operated by a board established by ordinance and appointed by the council. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

City Attorney Section 3-11. There shall be a city attorney or attorneys, as needed, who shall be appointed by, and serve at the pleasure of the city council. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by Ord. 242, passed Aug. 28, 1969).



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Article IV: Officers and Employees

ARTICLE IV. OFFICERS AND EMPLOYEES

Qualifications of Officers and Employees Section 4-1. Officers and employees of the city shall have the qualifications prescribed by this charter and such additional qualifications as the council may prescribe; but the council shall not prescribe additional qualifications for members of the city council. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Official Bonds Section 4-2. The city manager, the director of finance, and such other officers and employees as the council may designate, before entering upon their duties, shall be bonded, by individual and/or group bonds, for the faithful performance of their respective duties, payable to the city, in such form and in such amounts as the council may prescribe, with a surety company authorized to operate within the state. The city shall pay the premiums on such bonds. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by Ord. 242, passed Aug. 28, 1969)

Oath of Affirmation of Office Section 4-3. Every officer of the city, before entering upon the duties of his or her office, shall take and subscribe to the oath or affirmation of office prescribed by the Alaska Constitution, Article XII, Section 5. The oath or affirmation shall be filed and kept in the city clerk's office. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 12 at General Election on Oct. 3, 1972, as authorized by Reso. 8-72-2).

Who May Administer Oaths and Affirmations Section 4-4. All officers authorized by federal or state law, the mayor, the city manager, the city clerk, the heads of all administrative departments, and such other officers as the council may authorize, may administer oaths and affirmations. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Public Records Section 4-5. All records and accounts of every office, department or agency of the city government shall be open to public inspection except as otherwise provided by Alaska Statutes, City code or other applicable law. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as

authorized by Ordinance No. 733)



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Article V: Budget, Taxation and Fiscal Affairs

ARTICLE V. BUDGET, TAXATION AND FISCAL AFFAIRS

Fiscal Year Section 5-1. The fiscal year of the city government shall begin on the first day of July and shall end on the last day of June, unless otherwise provided by ordinance.

Budget: Preparation and Submission Section 5-2. At least five weeks before the beginning of the fiscal year, the city manager shall prepare and submit to the council a proposed budget for the next fiscal year, which shall contain detailed estimates of anticipated revenues (including surplus) and proposed expenditures for the year. The total of such proposed expenditures shall not exceed the total of such anticipated revenues. The budget shall be in such form and have such contents as the council may require. The budget and any budget message accompanying it, shall be a public record in the office of the city clerk, and shall be open to public inspection. Sufficient copies of the budget and any budget message shall be made for distribution to persons on request. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by Ord. 242, passed Aug. 28, 1969).

Same: Public Hearing Section 5-3. The council shall hold a public hearing on the proposed budget; and any interested person shall have an opportunity to be heard thereat for or against the estimates or any item thereof. The council may continue the hearing at later meetings. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Same: Amendment—Adoption—Appropriations Section 5-4. The council may insert, strike out, increase or decrease items in the budget, and may otherwise amend it. The council not later than the third day before the beginning of the fiscal year, shall adopt the budget and make the appropriations for the next fiscal year. If the council fails to adopt the budget and make the appropriations on or before that day, the budget, as submitted or as amended, as the case may be, shall go into effect and be deemed to have been finally adopted by the council; and the proposed expenditures therein shall become the appropriations for the next fiscal year. Appropriations shall never exceed the revenues. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Transfer and Reduction of Appropriation Balances Section 5-5. (a) Transfers. Except as the council by ordinance may provide otherwise, the city manager may transfer unencumbered appropriation balances or parts thereof from any item of appropriations within a department, office or agency to any other item of appropriation, including new items, within the same department, office or agency; and the council, by motion, resolution or ordinance may transfer unencumbered appropriations balances or parts thereof from any item of appropriation to any other item of appropriation, including new items, whether such other item is within the same department, office or agency, or not; except that transfer of any funds from the Swimming Pool Fund to any other fund requires a vote of the people. **(b) Reductions.** If during the fiscal year it appears that revenues available will be insufficient to meet the amount appropriated, the council may reduce any appropriation. No appropriation may be reduced by more than the amount of the unencumbered balance. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by Reso. 07-91-399: amended by Ord. 242, passed Aug. 28, 1969).

Supplemental and Emergency Appropriations Section 5-6. Supplemental and Emergency Appropriations. The council may make supplemental and emergency appropriations during a fiscal year, in accordance with procedures set out in the City Code. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Taxation: Powers Section 5-7. The city shall have all powers of taxation which home-rule cities may have under the state constitution and law, except that a new sales or use tax or an increase in rate of levy of a sales tax approved by ordinance does not take effect until ratified by a majority of the voters at an election. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 2 at General Election on October 3, 1989, as authorized by Reso. 08-89-326).

Same: Assessment, Levy and Collection of Property Taxes Section 5-8. The council by ordinance shall provide for the annual assessment, levy and collection of taxes on property. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 1 at General Election on October 7, 1975, as authorized by Reso. 8-75-20).

Same: Assessment—Equalization Section 5-9. The taxable status of property shall be determined as of the first day of January or such other date as may hereafter be prescribed by law, which is called the assessment day. The council shall sit as a board of equalization for the purpose of hearing an appeal from a determination of the assessor, or it may delegate this power to a board created by ordinance. (Amended by passage of Proposition

No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Same: Lien on Real Property Section 5-10. The city shall have a lien on all real property against which city taxes are assessed, for the taxes and all collection charges, penalties and interest which may accumulate thereto; and the lien shall continue until the taxes and any such charges, penalties and interests are paid. The lien is prior and paramount to all other liens or encumbrances against the property. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Disbursements: Authority—Method Section 5-11. Disbursements of City funds shall be made only in accordance with appropriations made as provided in this charter, or, in case of funds which are not formally appropriated, then by authority granted by the Council. The Council shall prescribe the method or methods of disbursing City funds. If the City Manager obtains authority through Council approval of a budget to incur needed City expenses, payments may be made in conformity with a requisition and purchase order system, or other administrative procedure which is approved by the Council, without separate approval of the Council for each transaction or item involved. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 6 of Special Election on June 16, 1970, as authorized by Reso. 4-70-1).

Deposit and Investment of Funds Section 5-12. The council may regulate the deposit and investment of city funds, and determine how funds of the city are to be invested. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Purchases and Sales Section 5-13. The council by ordinance shall provide for competitive bidding for goods and services and sales of surplus city property, and for any exceptions thereto. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by Ord. 242, passed Aug. 28, 1969)

Contracts and Sales Section 5-14. (a) The sale or lease of any city property, real or personal, or the sale or other disposal of any interest therein, the value of which property, lease, or interest is more than (one million dollars) \$1,000,000.00, shall be made only by authority of an ordinance enacted or ratified at any election by an affirmative vote of a majority of the qualified voters of the city who vote upon the question of approval or enacting the ordinance (the ordinance being submitted to the voters by the Council or by initiative of the voters). (Amended by passage of Proposition No. 5 at General Election on October 7, 1997, as authorized by Reso. 04-97-671). (b) An entire public utility and appurtenant franchises belonging to the City may be sold or leased only by authority of an ordinance enacted or ratified at an election

by an affirmative vote of a majority of the qualified voters of the city who vote upon the question. (c) Any other provision of this charter notwithstanding, the city may enter into an agreement for the purchase, sale or other disposal of electric power, or an agreement providing for participation by the city in the construction, acquisition or operation of hydroelectric power facilities, upon such terms as the city council may approve by resolution. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition at General Election on October 6, 1992, as authorized by Reso. 07-92-448; amended by passage of Proposition at Special Election on June 9, 1980, as authorized by Reso. 5-80-107; amended by passage of Proposition No. 13 at General Election on Oct. 3, 1972, as authorized by Reso. 8-72-2; amended by passage of Proposition No. 7 at Special Election on June 16, 1970, as authorized by Reso. 4-70-1).

Independent Annual Audit Section 5-15. (a) The council shall designate a qualified public accountant to make an annual independent audit of the accounts and financial transactions of the city. (b) The council shall cease to be conducted such internal audits as it deems appropriate or as required by law. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

City Permanent Fund Section 5-16. The City of Wrangell will create a Permanent Fund in the initial amount of (five million dollars) \$5,000,000.00 from the Southeast Economic Timber Relief Funds. The principal will be maintained and grow through wise investment and inflation proofing. The City of Wrangell will develop ordinances for the administration of this fund, which shall include restrictions of types of investments, expenditure of earnings, inflation formula, and all other administrative functions necessary to insure the security of this fund. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Approved by passage of Proposition No. 1 at General Election on October 7, 1997, as authorized by Resolution #08-97-684).



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Article VII: Local Improvements

ARTICLE VII. LOCAL IMPROVEMENT DISTRICTS

Council May Determine Necessity—How Cost May Be Paid—Establishment Section 7-1. (a) The council may determine the necessity for any public improvement. (b) The cost of a public improvement may be paid wholly by the city, or partly by the city and partly by benefited property, or wholly by benefited property, as the council may determine. Said cost or part thereof to be borne by benefited property maybe assessed by special assessment upon the benefited property. (c) The council shall prescribe by ordinance procedures for the establishment and dissolution of local improvement districts. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)



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Article VIII: Public Utilities and Enterprises

ARTICLE VIII. PUBLIC UTILITIES AND ENTERPRISES

City-operated Enterprise Funds Section 8-1. (a) City operated utilities (including water, sewer, electric, sanitation, and ports and harbors) shall be operated from an enterprise fund or funds separate from the general fund. An accounting system for each such fund shall be established within the general accounting system of the city, and shall be so set up and maintained as to reflect the financial condition of the enterprise or enterprises and its or their income and expense. A balance sheet and statement of income and expense (profit and loss) shall be made for each such fund annually and as often as the council may require. (b) None of the income, money, resources or property of the enterprise fund or funds shall be placed in the general fund or be used for the benefit of anything outside of the fund to which it belongs without due compensation or due value received in return; provided that this shall not prohibit payment into the general fund by such utilities of an amount in lieu of taxes reasonably estimated to be the amount which said utilities would pay in taxes if they were privately owned. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 1 at General Election on Oct. 3, 1972, as authorized by Reso. 8-72-1).



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Article IX: Elections

ARTICLE IX. ELECTIONS

Administration Section 9-1. The council shall by ordinance prescribe the rules and procedures for conducting city elections. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Regular Election Section 9-2. There shall be a non-partisan regular election held annually on the first Tuesday in October, or on such other date as the council may provide by ordinance. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Special Elections Section 9-3. The council may call special elections and submit questions to voters, as provided by ordinance or resolution. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 20 at General Election on Oct. 3, 1972, as authorized by Reso. 8-72-2).



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Article X: Initiative, Referendum and Recall

ARTICLE X. INITIATIVE AND REFERENDUM

Initiative and Referendum: Authorized—Exceptions Section 10-1.

(a) The qualified voters of the city, by the initiative, may propose and enact any ordinance which the council has power to enact under this charter except as otherwise provided in this section.

The qualified voters of the city, by the referendum, may approve or reject any ordinance passed by the council except as otherwise provided in this section. (b) Ordinances dedicating revenues, ordinances making, repealing, transferring, or otherwise changing appropriations, ordinances creating courts, defining the jurisdiction of courts or prescribing their rules, and special ordinances, shall not be subject to either the initiative or the referendum.

Ordinances necessary for the immediate preservation of the public peace, health, or safety (herein called emergency ordinances), shall not be subject to the referendum. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Petitions Section 10-2. An initiative or referendum shall be proposed by filing an application with the city clerk containing the ordinance to be initiated or referred. The application shall be signed by at least ten (10) voters who sponsor the petition. The application shall contain a copy of the ordinance initiated or sought to be referred and conform to such other requirements as may be established by ordinance. Upon the clerk's certification that the application is in proper form and meets the requirements of this chapter and the ordinances of the city, the city clerk shall prepare a petition for circulation for signatures. The petition shall then be signed by a number of qualified voters of the city equal at least to twenty-five percent of the total votes cast at the immediately preceding regular city election. A petition with sufficient signatures must be filed with the city clerk within 90 days after the petition is issued by the city clerk. Each copy of the petition filed must bear the sponsor's sworn statement that the sponsor personally circulated the petition, that all signatures were affixed in the presence of the sponsor, and that the sponsor believes the signatures to be those of the persons whose names they purport to be. Within 10 days after the petition is filed, the city clerk, with such assistance from the city attorney as the city clerk deems necessary, shall ascertain whether the petition is legal and has sufficient signatures, and shall certify the city clerk's finding to said petition. If the city clerk certifies that a petition is insufficient, a sponsor of the petition may protest that decision by filing a written protest with the city manager within seven days of the

certification. The city manager shall present the protest to the council at its next regular meeting, and the council shall hear and decide the protest. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 1 at Special Election on February 19, 2002, as authorized by Resolution No. 11-01-894)

Ballot Title and Proposition—Submission Section 10-3. If an initiative or a referendum petition is found to be legal and to have sufficient signatures, the city clerk, with such assistance from the city attorney as the city clerk deems necessary, shall prepare the ballot title and proposition for the ordinance. The city clerk shall place the question on the ballot for the next regular or special city election held not less than 60 days after final determination of the legality and sufficiency of the petition. The council by resolution or ordinance may call a special election for the purpose. If, in the case of an initiative petition, the council, enacts, prior to the election, an ordinance substantially the same as the one in the petition, or if the council repeals the ordinance before the referendum election, the petition is void and the matter may not be placed before the voters. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 1 at Special Election on February 19, 2002, as authorized by Resolution No. 11-01-894)

Vote Required—Effect Section 10-4. (a) If a majority of the votes cast on the proposition favor the enactment of an initiative ordinance, it shall be enacted. If at least as many votes are cast for the approval of a referred ordinance as are cast against it, it shall be approved and go into effect; otherwise it shall be rejected. (b) If two or more initiated or referred ordinances which have conflicting provisions are enacted or approved at the same election, the one receiving the largest affirmative vote shall prevail. (c) The effect of an ordinance may not be modified or negated within two years after its effective date if adopted in an initiative election or if adopted after a petition that contains substantially the same measure has been filed unless the modifying or negating measure is approved by the voters. If an ordinance is repealed in a referendum election or by the council after a petition that contains substantially the same measure has been filed, substantially similar legislation may not be enacted for a period of two years unless the substantially similar legislation is approved by the voters. (d) If an initiative or referendum measure fails to receive voter approval, a new petition application for substantially the same measure may not be filed sooner than six months after the election results are certified. If an initiative or referendum measure is approved by the voters or the council adopts a substantially similar measure after an initiative petition is filed or repeals an ordinance after a referendum is filed, a new petition application which would negate the earlier measure or enact an earlier repealed measure may not be filed sooner than six months after the earlier measure has been adopted or repealed.

(Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 1 at Special Election on February 19, 2002, as authorized by Resolution No. 11-01-894) Further Regulation by Ordinance Section 10-5. The council by ordinance may further regulate the procedures for the initiative and referendum. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 1 at Special Election on February 19, 2002, as authorized by Resolution No. 11-01-894)



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Article XI: Intergovernmental Relations

ARTICLE XI. INTERGOVERNMENTAL RELATIONS

Cooperation with Other Units of Government—Transfer of Powers and Functions Section 11-1. Agreements, including those for cooperative or joint administration of any function or power, may be made by the council with any other local government, with the state, or with the United States, unless otherwise provided by law or by this charter. Such agreement for cooperative or joint administration of any function or power shall be made only by ordinance. Procedures for making contracts prescribed in any other sections of this charter shall not apply to agreements made pursuant to this section. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Thomas Bay Power Authority Section 11-2. There shall be created a Thomas Bay Power Authority owned jointly and equally by the City of Wrangell, Alaska, and the City of Petersburg, Alaska, for the purpose of constructing and operating a hydro-electric power generating utility which authority shall have all express, implied and incidental powers thereto, including but not limited to acquiring extra-territorial properties, and obtaining financing and the issuance of revenue bonds in its own name, and which authority may incorporate or otherwise reorganize as a separate entity, but in any event to be managed jointly by a commission of representatives from the municipalities as they shall respectively appoint. (Added by passage of Proposition No. 2 at Special Election on July 30, 1974, as authorized by Reso. 6-74-2).


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Article XII: Amendment and Separability of Charter

ARTICLE XII. AMENDMENT AND SEPARABILITY OF CHARTER

Amendment of Charter: Proposal, Approval Section 12-1. Proposals to amend this charter may be made in either of the following ways: (1) The qualified voters of the city, by initiative petition, may initiate amendments to this charter in the same manner, as nearly as may be, as the may initiate ordinances; and (2) the council by resolution or ordinance may propose, and submit or provide for the submission of, charter amendments to the qualified voters of the city. A charter amendment initiated by petition of the qualified voters shall be submitted to the qualified voters at a regular or special election in the same manner as an initiated ordinance and subject to the same regulations, as nearly as may be. A charter amendment proposed by the council may be submitted to the qualified voters of the city at any regular or special election held not less than 60 days after passage of the said resolution or ordinance. Any amendment thus submitted to the qualified voter shall become effective upon approval by majority of the qualified voters who vote on the question of approval. If more than one amendment is proposed, all of them except those which are so inter-related that they should be approved or rejected together, shall be submitted in such manner that the voters may vote on them separately. A copy or copies of every charter amendment approved by the qualified voters shall be filed as may be required by law. A new charter may be proposed and approved in lieu of this charter in the same manner as an amendment to this charter may be proposed and approved. It is hereby recognized that the manner of adoption, amendment and repeal of home-rule charters may be regulated by law; and any binding provision of the state constitution or law regulating such manner shall prevail over any conflicting provision of this charter or of any ordinance. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 14 at Special Election on July 16, 1970, as provided by Reso. 4-70-1).

Separability Clause Section 12-2. If a court of competent jurisdiction should hold any section or part of this charter invalid, such holding shall not affect the remainder of this charter and the context in which such section or part so held invalid may appear, except to the extent that another part of the charter may be inseparably connected in meaning and effect with that section or part. If a court of competent jurisdiction holds a part of this charter invalid, or if a change in the state constitution or law renders a part of this charter invalid or inapplicable, the council by

ordinance may take such appropriate action as will enable the city government to function properly. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)



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Article XIII: Succession in Government

ARTICLE XIII. SUCCESSION IN GOVERNMENT

Charter—When in Effect Section 13-1. This charter shall go into effect on January 1 following its approval by a majority of the qualified voters voting on the question of approval, and the government provided by it shall be deemed a continuation of the government existing previously under law. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Officers and Employees to Continue Section 13-2. The incumbents of the offices of mayor, other council members, and all other offices and positions of employment (including members of boards and commissions), under the statutory government of this city at the time this charter goes into effect, shall continue in their respective offices and positions of employment under this charter until their respective terms expire or until their services are terminated in accordance with the provisions of this charter and ordinances relating to the creation, change and abolition of offices and removal of officers and employees, as the case may be. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733; Amended by passage of Proposition No. 15 at Special Election on June 16, 1970, as provided by Reso. 4-70-1).

Ordinances Continued Section 13-3. All ordinances, insofar as they are not inconsistent with this charter, shall continue in effect until they are repealed or until they expire by their own limitations. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)

Pending Actions and Proceedings Section 13-4. The adoption of this charter shall not abate or otherwise affect any action or proceeding, civil or criminal, pending when it takes effect, brought by or against the municipality or any office, department, agency or officer thereof. (Amended by passage of Proposition No. 1 at Regular Election on October 7, 2003, as authorized by Ordinance No. 733)


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